

RESOLUTION NUMBER R- **314605**

DATE OF FINAL PASSAGE **FEB 27 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO GRANTING THE APPEAL OF THE
ENVIRONMENTAL DETERMINATION FOR THE INN AT
SUNSET CLIFFS PROJECT – PROJECT NO 231328.

WHEREAS, SEN JOU, INN AT SUNSET CLIFFS, LLC, Owner, filed an application with the City of San Diego for a permit to remove the following improvements: remnants of an existing seawall, approximately 2,120 square feet of a lower concrete deck, and two (2) existing keystone block firepits and construct a new 170-foot-long secant pile seawall/coastal protective device on portions of a 0.542 acre (Project); and

WHEREAS, the project site is located at 1370 Sunset Cliffs Boulevard in the RM-5-12 (Residential-Multiple Unit) Zone, Coastal Overlay Zone (Appealable), Designated Historic District: Ocean Beach Cottage Emerging District, Coastal Overlay Zone First Public Roadway, Coastal Height Limit Overlay Zone, Transit Priority Area, Parking Impact Overlay Zone (Coastal Impact/Beach Impact), Residential Tandem Parking Overlay Zone, Sensitive Coastal Overlay, ALUCP Airport Influence Area (AIA): San Diego International Airport - Review Area 2, Designated Medium Density Residential within the Ocean Beach Community Plan; and

WHEREAS, the project site is legally described as Lot 1, Block 27 in the City of San Diego, County of San Diego, State of California, according to Map thereof No 1889; APN 448-341-01-00; and

WHEREAS, on October 5, 2022, the Hearing Officer of the City of San Diego considered and approved Site Development Permit No. 1612524, Mitigated Negative Declaration No. 231328, and the Mitigation, Monitoring and Reporting Program; and

WHEREAS, on October 12, 2022 an appeal of the environmental determination was filed by Barbara and Timothy Houlton and a second appeal was filed by Coastal Environmental Rights Foundation on October 19, 2022 (hereinafter collectively referred to as the Appeals); and

WHEREAS, the Appeals were set for public hearing to be conducted by the Council of the City of San Diego (Council) on February 27, 2023, testimony having been heard, evidence having been submitted, and the Council having fully considered the Appeals and being fully advised concerning the same; and

WHEREAS, the Council considered, in light of the whole record, the Mitigated Negative Declaration No. 231328, the potential impacts associated with the Project, including the analysis of the Project's aesthetic and geologic impacts, and the issues raised on appeal; and

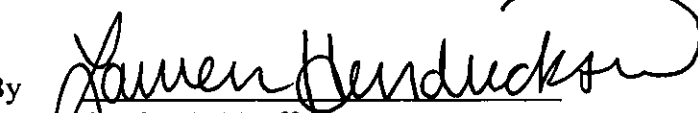
WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, and the hearing on February 27, 2023 with the understanding that this information is complete, true, and accurate; and

WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Appeals are granted as the appellants have provided substantial evidence to support a fair argument that the Project may have significant environmental impacts, and the environmental determination is set aside and returned to staff to reconsider and prepare a revised environmental document, as appropriate.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Corrine L. Neuffer
Chief Deputy City Attorney

CLN:cm
March 1, 2023
Or.Dept: Development Services
Doc. No. 3237958

Passed by the Council of The City of San Diego on **FEB 27 2023**, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage **FEB 27 2023**.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Connie Patterson*, Deputy

Office of the City Clerk, San Diego, California

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